



COUNTY OF SISKIYOU

COUNTY ADMINISTRATIVE OFFICE

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November 4, 2008

Larry Friedman, Foreman
Siskiyou County Grand Jury
POB 488
Yreka, CA 96097

Subject: 2008 Siskiyou County Grand Jury Report

Dear Mr. Foreman and Members of the Grand Jury:

The Office of the County Administrator would like to thank the Grand Jury for the opportunity to comment on several findings and recommendations in the 2008 Siskiyou County Grand Jury Report.

2008 Siskiyou County Grand Jury Report

County Auditor's Office

Finding #1:

The investigation revealed concerns about management style of the Auditor's supervisory staff, including complaints of disrespectful interactions with employees, retaliatory behaviors, and inconsistent treatment of employees. Reports from interviewees were varied on all issues, although the responses on certain issues were heavily polarized in both directions.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the interviewees may have told the Grand Jury.

Finding #2:

It was assumed that management has an overload of responsibilities without effective delegation.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the workloads in the Auditor's office.

Finding #3:

There appears to be high turnover in the fiscal technician job category within the Auditor's office. Reasons given for turnover include unhappiness in the position, mismatch of skill-sets for the job, personality issues, leaving due to being passed over for promotion, and choosing to stay at home for parenting purposes.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have any statistics on the turnover rates in the Auditor's office.

Finding #4:

It was stated that stress apparently comes from a heavy workload and the demands of the job within the fiscal auditing section of the Auditor's office.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the workload assignments in the Auditor's office.

Finding #5:

There were some employees who stated that they had not observed disrespectful interactions on the part of the Auditor's supervisory staff.

Response from CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #6:

The process in place for employees to file a complaint or grievance is felt to be inadequate by some, but not all of those interviewed.

Response from CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #7:

Some former staff reported the fear of retaliation and reported management actions that they believe were retaliatory in nature.

Response from CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the staff may have told the Grand Jury.

Finding #8:

Former staff did not utilize the available established grievance procedure to seek relief from alleged harassment practices.

Response from CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what former staff may have told the Grand Jury.

Finding #9:

The dress code for County employees is vague and unenforceable. More than half of those interviewed expressed discomfort with the attire of a few employees with the County.

Response from CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Recommendation #1:

The supervisory staff in the Auditor's office should attend management and communications workshops which focus on more effective management styles.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #2:

The County should include means which ensures that a process is available for the employee to be heard confidentially when perceived situations of harassment or hostile work environment within the workplace occur. No repercussions should arise from the reporting.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #3:

The Personnel Department should better educated employees about grievance procedures to be followed in case of retaliatory action.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #4:

The Board of Supervisors and Chief Administrative Officer should review *County of Siskiyou Personnel Policy 8.2: Personal Appearance and Demeanor* for clarification and development of specific guidelines. The Board should consider inclusion of a violation reporting process, a fair review system, and an enforcement procedure.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #5:

The Board of Supervisors should investigate possible options for reorganizing the Auditor-Recorder-Controller's Office and respective responsibilities contained therein.

Response from the CAO:

The respondent agrees with this recommendation.

2008 Siskiyou County Grand Jury Report

Siskiyou County Personnel Policies

Finding #1:

The Board of Supervisors adopted the Personnel Policies on July 2, 2002. County employee relations are protected and guided under these policies. Policies for handling employees' personnel files, rights and grievance are among the areas defined in this manual. During interviews a significant majority of those interviewed supported the contention that these policies are not enforced consistently.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #2:

Interviews revealed allegations of disrespectful interaction with employees and other county representatives, retaliatory behaviors, inconsistent treatment of employees, dress code violations, stress in the work environment, inability of some managers to delegate responsibility, and high employee turnover in some jobs. Not all interviewees agreed with these allegations.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #3:

During the course of the investigation we heard allegations of harassment causing mental or physical distress, which resulted in medical leaves or doctor's orders to get another job.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #4:

The Personnel Policy states that the subject employee may file a complaint with his/her "non-involved supervisor, department head, Personnel Officer, or directly to the Chief Administrative Officer (CAO). Employees do not need to follow the chain of command."

Response from the CAO:

The respondent agrees with this finding.

Finding #5:

Although a grievance procedure exists, employees were either unaware of it or felt uncomfortable filing a complaint/grievance. Several lacked confidence in the process. Several reported fearing potential retribution from management. Many felt complaints would not be acted on appropriately.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Finding #6:

We were advised that the complaint box was located in the front window at the personnel office, in full view of everyone (the public also), with no assurance of privacy or understanding who opens the box and reads the complaints.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of what the employees may have told the Grand Jury.

Recommendation #1:

It is recommended that the Board of Supervisors evaluate the effectiveness and expand the Personnel Policies.

Response from the CAO:

The respondent agrees with this finding.

Recommendation #1a:

In an organization such as the County, there must be an internal process for addressing complaints and grievances that has some involvement from County staff. Practically speaking, a complaint cannot be addressed if the issue is not brought to attention of the CAO, Personnel Manager, Department Head or subject of the complaint.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #1b:

Develop a grievance procedure which provides employee assurance of privacy, oversight and resolution.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #1c:

Provide education of employees through workshops about their rights and grievance procedures.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #1d:

Require a separate and private interview with a personnel officer when an employee disagrees with a performance review. The personnel officer should have a means of demonstrating to the employee subsequent actions.

Assumption that the manager is always right does not provide a grievance process for the employee.

Response from the CAO:

The CAO accepts the Personnel Manager's response.

Recommendation #1e:

Require that a confidential exit interview be conducted with a personnel officer for all internally transferred, terminated, and departing employees, regardless of cause. This should occur in a private setting outside of the employee's department. The interview could provide insight into possible problems.

Response from the CAO:

The CAO accepts the Personnel Manager's response.

Recommendation #1f:

Develop an exit interview form which must be used consistently with all departures, terminations, and internal county transfers in order to establish that all exiting procedures have been followed. A signature and date must be obtained on this form which should be retained in the respective employee file.

Response from the CAO:

The CAO accepts the Personnel Manager's response.

Recommendation #1g:

The Dress code, Personnel Policy 8.2, is insufficient and needs to be specific and detailed. Clarify the dress code, recognizing differences in department responsibilities. The internet has valuable resources for clarifying descriptions of business attire.

Response from the CAO:

The CAO accepts the Personnel Manager's response.

Recommendation #2a:

A Personnel Officer should have the ability, when applicable, to oversee potential problems within county departments before transfers, resignations, terminations, or leaves of absence occur. This would encourage department heads to observe professional business performance rules and provide a safe, productive work environment free from harassment.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #2b:

A Personnel Officer needs to regularly ascertain that all personnel policies and codes are being judiciously followed within all departments. This process needs to be accountable to the CAO and reported to the Board.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #2c:

With the asset of greater technology a Personnel Officer should be able to identify how to best streamline and provide consistent personnel procedures. Tracking of employee turnover is one aspect of technology which would be beneficial to the County.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #2d:

The Personnel Department should be actively involved with employees and management. The Department should provide services to the County beyond processing papers and files.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #3:

Professional development and management of our human resources are Important, due to the litigious nature of our culture. In order for the County to assure a safe and professional work environment, the Board of Supervisors should budget for and implement educational workshops which train and cross train staff in personnel management, delegation of duties, internal department service, employee rights, and other subjects. Improving supervisory communication and personnel management should be a high priority.

Response from the CAO:

The respondent agrees with this recommendation.

2008 Siskiyou County Grand Jury Report

Siskiyou County Jail

Finding #1:

Booking Process:

Prisoners arrive by vehicle in the sally port (a small controlled space with two doors, one must enter the space and close the first door before opening the second to proceed with their arresting officers. The arresting officer and jail officers transfer them to the intake area one at a time. Cameras extensively monitor this area for safety. In the intake section, they are classified by offense, examined for medical issues and fingerprinted. The fingerprints are entered into the computer system. Estimated intake time is ten minutes, but it may take longer. The arresting officers do not leave until this is completed. Although this is an efficient system, when there are several prisoners arriving at the same time, it can become a bottleneck, delaying the officer's return to duty. Arresting officers are often further delayed in returning to their duties when issues arise regarding the prisoner chain of custody; there are not clear guidelines as to when a prisoner is transferred from the arresting officer's custody to the jail's custody. Weekend nights can be extremely busy with many prisoners and arresting officers waiting.

During the booking and temporary holding process, felony and misdemeanor prisoners are not segregated except in severe cases. The intake cells include various areas and showers as needed for incoming prisoners. The cells are small but adequate for temporary usage. At the time of our inspection, the cells were clean and no odor or other problems were observed. Alcohol-impaired prisoners are held for a minimum of six hours before release.

Response from the CAO:

The respondent agrees with this finding.

Finding #2:

Housing Control and Security:

The central housing cell area is monitored from a pod. This section is covered by cameras and visible to the housing control person operating it. Doors and hallways are also monitored from here. Another pod is located on the upper level which monitors all areas and controls access. If an inmate is being moved to another portion of the facility, the move is performed by a series of controlled door locks and an officer escort is not necessary. However, this prisoner is not isolated from the housing control panel and office. Even with the extensive use of cameras and careful monitoring, jail officers and inmates are at risk in this situation.

The visitation area consists of two rooms, one for visitors and one for inmates. The two parties are separated by a solid glass wall and speak via a telephone, which can be monitored. However, little prevents the two from communicating by notes held up to the window. The passing of notes in this fashion has been an issue in the past.

Response from the CAO:

The respondent agrees with this finding.

Finding #3:

Staffing:

Excluding the administration, the floor staffing is five officers and one sergeant. One officer is constantly monitoring the men's cell area (housing control) and one is monitoring the entire facility (central control). Three officers and one sergeant handle the rest of the tasks. Whenever the booking area becomes very busy, the sergeant coordinates the booking and placement of inmates by priority according to their infractions, taking into consideration officer and inmate safety. There is always one female deputy on duty for each shift. Staff stated that gang membership within the jail is becoming an increasingly serious issue, with rival gangs from various geographical and racial divisions causing more potential for violence to both other inmates and staff. Separating gang members puts even more stress on limited staffing resources.

If serious inmate/staff situation develops in the jail, every inmate is locked down and the staff on duty responds. Additionally, sheriff's deputies, off-duty officers and Yreka Police Department are available. A Community Emergency Response Team can be used and trained negotiators are on staff. The Special Weapons and Tactics team is available as backup also.

Jail administration stated that staffing is at its budgets limits. The staff works with careful planning, taking into account vacations, holidays, and medical leaves. They have not asked for more money for staff positions because it would reduce community services or remove a patrol deputy from our streets.

Response from the CAO:

The respondent agrees with this finding.

Finding #4:

Inmate Services/Legal Services:

The law library is a separate room from the small regular library, and is a good-sized room. The officer observing all the video screens for the entire jail (central control) is responsible for supervision of persons in the law library via video monitors. Inmates may request usage of the law library orally or in writing. Inmates are permitted its use any time the jail is not overly busy, which is usually in the evening. The regular library provides various reading material, newspapers, magazines and other printed documents.

Inmates seeking legal information are encouraged to use the Legal Research Fund. This is an attorney group which will send the inmate all pertinent case law information relevant to their crime. A written request with the penal codes listed is faxed to the service, which subsequently mails the researched data back. The inmate welfare fund (profits derived from inmate commissary sales) finances this service. Representatives from the Family Law Facilitator's office also visit upon request.

Response from the CAO:

The respondent agrees with this finding.

Finding #5:

Medical Services:

Upon entry to the jail, inmates are asked what medications they are taking and what their ailments are. The nurse checks this data (sometimes requests the doctor's records and may talk to the jail doctor) and then acquires the

medications from a pharmacy and supplies them to the inmate. A nurse is in the facility during the day, 7 days a week. If necessary, the nurse is available to be called at night. There are forms for medical requests.

When inmates have anything considered contagious, e.g., a staph infection, they are segregated in the medical area in a private cell. Special procedures are followed to decrease the risk of exposure to others. However, MERS (Methicillin Resistant Staph Aureus), a highly contagious disease, is spreading state-wide, especially in prisons and jails due to closely confined quarters. Jail inmates have been held in medical isolation cells because they have tested positive for this serious medical condition. The jail is inspected by the Public Health Department on an average of every 8-12 months, with special emphasis on health care procedures.

Response from the CAO:

The respondent agrees with this finding.

Finding #6:

Employment Services:

Work positions available for inmates include the library, kitchen, laundry, and several cleaning crews. One inmate works in the county yard. One inmate is in a vocational program to become the chef. The female inmates expressed a desire to work in the kitchen. Unfortunately, there is no vocational program available to female inmates. Based on past experiences, the mixing of male and female inmates was not feasible. Because male inmates outnumber female inmates, the males work in the kitchen while the females tend to be assigned to the laundry. Male and female inmates perform the cleaning duties at different times during the day.

Response from the CAO:

The respondent agrees with this finding.

Finding #7:

Other Inmate Services:

The jail administration stated that outside services that come to the jail are: Alcoholics Anonymous each Tuesday, Narcotics Anonymous each Thursday, Bible studies each Wednesday, the Siskiyou-Modoc Department of Child Support Services upon request and Women's Support Ministry irregularly. There are volunteer counselors for educational programs such as the Siskiyou Training and

Employment Program, and College of the Siskiyous provides education for General Educational Diploma, computer skills and acquiring a driver's license. Behavioral Health provides drug and alcohol information and Siskiyou County Domestic Violence and Crisis Center provides counseling when it is court-ordered. All volunteer organizations providing an enrichment or remediation program must undergo a background check.

Response from the CAO:

The respondent agrees with this finding.

Finding #8:

Recreation Services:

The outdoor recreation area is available to women and men separately as permitted by the staff. Television, games and cards are also available for inmate use.

Response from the CAO:

The respondent agrees with this finding.

Finding #9:

Requests and Grievances:

Requests can be submitted to the staff on a form. Generally, the staff officer or watch sergeant handles the requests. Grievances are submitted on a one page form in triplicate. The form is given to the watch commander, who provides answers. The inmate can appeal to the lieutenant or even the captain. If the inmate is still dissatisfied he or she can file a writ of habeas corpus. The State Corrections Standards Authority inspects the jail every other year. The file of grievances is always included in their inspections.

Response from the CAO:

The respondent agrees with this finding.

Finding #10:

Inmate Interviews:

Interviews were conducted with four prisoners, tow female and two male. Their ages, time being served, attitude, and overall view of their time spent in the facility varied. They communicated openly with us and each individual's

interview provided information that gave credit to the operation of the facility and the quality of care received.

The two female prisoners interviewed had been in detention between 20 and 40 days. This was not their first detention. Their main concern was lack of response to requests for more support services and educational programs for re-entry into society. It was also stated that the grievance process is not one that works, especially when the grievance goes to the one against whom you have a grievance. It is felt that the male population gets more services/attention. This may be due to the larger male population in the facility and staffing resources. The females do get to work in the library and are grateful for that opportunity, but stated that it is not enough.

The two male prisoners interviewed had been in detention 150+ days, one having been held in detention several times before. They felt their requests were responded to in a timely manner. One was very grateful to be in the vocational baking program to prepare him for a career in food service. There was some feeling that the AA and NA programs have been impacted by funding cuts on the outside.

It was apparent that the attitude of the jailed inmates has a lot to do with how well they go through their incarceration.

Response from the CAO:

The respondent agrees with this finding.

Finding #11:

Public Information:

County of Siskiyou Official Government Website (www.co.siskiyou.ca.us) was used to gather some statistics on the jail and was found to be out of date.

Response from the CAO:

The respondent agrees with this finding.

Recommendation #1:

The Siskiyou County Board of Supervisors should develop an expansion plan for facilities to handle increased population growth.

Response from the CAO:

The respondent agrees with the response from the Board of Supervisors.

Recommendation #2:

The Siskiyou County Board of Supervisors should develop a plan for adding a visually clear barrier around the housing control station for officer safety.

Response from the CAO:

The respondent agrees with the response from the Board of Supervisors.

Recommendation #3:

The Siskiyou County Board of Supervisors should develop a plan for installing recorded indirect video equipment or a similar system to insure safety of all utilizing the visitation area. This could eliminate note passage in the visitation area.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #4:

The Siskiyou County Sheriff should meet with the county chief of police association, California Highway Patrol, and other agencies booking inmates into the jail and discuss guidelines for chain of custody.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #5:

The Siskiyou County Board of Supervisors, in conjunction with the Siskiyou County Sheriff's Department, should enhance vocational programs to include more of the female inmate population.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #6:

Jail staff needs to emphasize to all inmates the use of the Legal Research Fund for inmate assistance.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #7:

Jail staff should continually encourage inmates to utilize outside services to aid in their re-entry into society.

Response from the CAO:

The respondent agrees with this recommendation.

Recommendation #8:

The Siskiyou Department of Public Health and Community Development should inspect the entire jail facility every quarter.

Response from the CAO:

The respondent agrees with the response from the Director of Public Health and Community Development Department.

Recommendation #9:

The Siskiyou County Administrator should monitor the County of Siskiyou Official Government Website and perform updates in a timely manner.

Response from the CAO:

Every department is responsible for maintaining the accuracy of the information contained on their webpage. The County Administrator's Office will remind each department of this responsibility and will periodically review the website for accuracy.

The Public Health and Community Development Department has been asked to respond to a Grand Jury recommendation to inspect the entire jail facility quarterly.

Finding #5:

Medical Services:

Upon entry to the jail, inmates are asked what medications they are taking and what their ailments are. The nurse checks this data (sometimes requests the doctor's records and may talk to the jail doctor) and then acquires the medications from a pharmacy and supplies them to the inmate. A nurse is in the facility during the day, 7 days a week. If necessary the nurse is available to be called at night. There are forms for medical requests. When inmates have anything considered contagious, e.g., a staph infection, they are segregated in the medical area in a private cell. Special procedures are followed to decrease the risk of exposure to others. However, M E R S (Methicillin Resistant Staph Aureus), a highly contagious disease, is spreading statewide, especially in prisons and jails due to the closely confined quarters. Jail inmates have been held in medical isolation cells because they have tested positive for this serious medical condition. The jail is inspected by the Public Health Department on an average of every 8-12 months, with special emphasis on health care procedures.

Response from the CAO:

The CAO accepts the response from the Director of Public Health & Community Development Department.

2007 Siskiyou County Grand Jury Report

J.H. Ranch Investigation

The Board of Supervisors should issue a cease and desist order that occupancy shall not exceed the 136 occupancy level at the JH Ranch until a full review of environmental, noise, traffic safety, and all other issues noted in the County Planning Director's letter dated November 30, 2006, are resolved.

Finding #1:

The JH Ranch is a 79-acre property used as a guest ranch, with sleeping accommodations, recreational facilities, and open space. It is privately owned by the Johnston Family Partnership, and includes a 6.5 acre area that is zoned C-R rural (neighborhood commercial). The C-R portion is currently developed, with a lodge, chapel, guest housing, staff lounge, and some recreational facilities.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the statements made in this finding.

Finding #2:

After researching county files, members of the grand jury found only one permit that refers to an occupancy level, and that is for a maximum of 136 people. JH Ranch personnel contend there is no limit to occupancy levels, and admits to over 400 guests. JH Ranch staff believes they have approval to increase occupancy levels because of county approval of improvements. However, documents authorizing improvements and correspondence from the County Planning Director to the JH Ranch contain statements such as "does not include any expansion of facilities resulting in any increase in guest ranch occupancy" and "I would take this time to remind you that you have no authorization to exceed the previously permitted occupancy level."

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the statements made in this finding.

Finding #3:

Documentation from a real estate appraiser contends that an adjacent property value was affected by the noise from the JH Ranch. County code requires that noise levels shall not exceed 65 decibels at the property line. No testing has been done by the County to insure the 65 decibel limit has not been exceeded.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the statements made in this finding.

Finding #4:

Traffic has increased significantly on French Creek Road over the year, mostly due to the increase in occupancy at the JH Ranch. The County has not addressed increased traffic and emergency access requirements in case of disaster.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the statements made in this finding.

Finding #5:

Based on a letter dated November 30, 2006, from the Director of what is now part of the Public Health and Community Development Department, but was then known as the County Planning Department, to the Johnston Family Partnership, the Planning Director is trying to bring the JH Ranch into compliance.

Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO does not have first hand knowledge of the statements made in this finding.

Recommendation:

The Board of Supervisors should issue a cease and desist order that occupancy shall not exceed the 136 occupancy level at the JH Ranch until a full review of environmental, noise, traffic safety, and all other issues noted in the County Planning Director's letter dated November 30, 2006, are resolved.

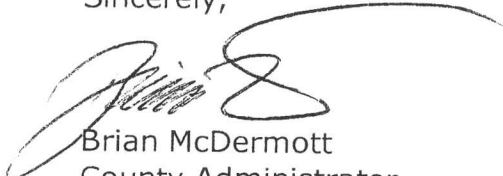
Response from the CAO:

The respondent neither agrees nor disagrees with this finding. The CAO will be referring the matter to the office of County Counsel and the Director of Public Health and Community Development Department.

CAO Grand Jury Response
November 4, 2008
Page 21 of 21

Please feel free to give us a call if you have any questions or comments.

Sincerely,



Brian McDermott
County Administrator